

Amendments to the Drawings:

The attached sheets of drawings is a clearer version of the drawings including the changes made to Fig. 1, Fig. 2, Fig. 3, Fig. 4, Fig. 5A, Fig. 5B, Fig. 5C, and Fig. 5D in the last October 27, 2004 Amendment.

Attachment: Replacement Sheets

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-9 will be pending. By this amendment, claims 1, 5 and 6 have been amended. No new matter has been added.

§112 Rejection of Claim 3

In Section 5 of the Office Action, claim 3 stands rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed below.

It was stated in the Office Action, “[t]he term “under the control” is not understood” within claim 3. Support for this language is found in the written description. *Specification, page 3, lines 4-6 and 19-22; page 5, lines 8-10.*

Accordingly, it is submitted that the rejection of claim 3 based upon 35 U.S.C. §112 has been obviated and withdrawal thereof is respectfully requested.

§ 102 Rejection of Claims 1, 3 –7, and 9

In Section 7 of the Office Action, claims 1, 3 – 7, and 9 stand rejected under 35 U.S.C. §102(a) as being anticipated by Robichaux (Paul Robichaux, "Managing Microsoft Exchange Server, ISBN: 1565925459, July 1999; hereinafter referred to as “Robichaux”). Claim 1 has been amended to address the rejection.

In the Background section of the Specification, it was stated that “[e]lectronic messages in the form of e-mails or GSM short message texts are known. They rely on a store-and-forward technique where the originator of the message sends the message to a computer node. In the

node the message is stored and then forwarded to other nodes until it reaches a mailbox belonging to the intended user.” *Specification, page 1, lines 16-20*. “As state of the art messaging systems like e-mail have a store-and-forward-communication structure, they have inherently problems with instant (i.e. nearly real-time) message delivery. ... Furthermore nearly real-time transmission of messages implies a big number of processing systems for high message throughput.” *Specification, page 2, lines 11-16*.

To address the above-described problems of the conventional messaging system, embodiments of the present invention provide a method for transmitting messages in a distributed system. This distributed system achieves the invention’s objective of enhancing the throughput of messages. For example, the steps of method claim 1, as presented herein, include:

receiving a message from a sending client by a first message gateway;
extracting meta information from the received message;

transmitting the meta information from the first message gateway to a message broker while keeping the received message at the first message gateway;

selecting a second message gateway on the basis of the meta information and client profile data by the message broker;

transmitting modified meta information including message managing information from the message broker to the first message gateway; and

transmitting the message from the first message gateway to the selected second message gateway so that the second message gateway can transfer the message to a target client,

wherein said message broker is an entity physically separated from said first and second message gateways.

(emphasis added)

In summary, the message transmission method of claim 1 transmits messages in a distributed system by extracting meta information from a message, transmitting only the meta

information of the message to a message broker, selecting a second message gateway on the basis of the meta information by the message broker, transmitting meta information including message managing information from the message broker to the first message gateway, and transmitting the message from the first message gateway to the second message gateway to transfer the message to a target client, wherein said message broker is an entity physically separated from said first and second message gateways. Thus, embodiments of the present invention use meta information, which is processed and managed by a physically separate message broker to control and authenticate direct message transfer from the originator gateway (*i.e.*, the first message gateway) to the receiver gateway (*i.e.*, the second message gateway).

Structurally, the invention relies on a three-tier approach, which comprises the following three separate entities: a first instant message gateway (originator), an instant message broker, and a second instant message gateway (receiver). In order to achieve the invention's objective of enhancing the throughput of the system, the tasks of determining a desired message conversion and the address resolution are carried out by the instant message broker, rather than by the instant message gateway, which is actually transmitting the message. By contrast, in Robichaux, the same entity, *i.e.*, the local server, which corresponds to the instant message gateway of the present invention, handles both the message transmission (step 6 of Robichaux) and the address resolution (step 3).

Therefore, Robichaux teaches against an apparatus that extracts meta information from the content of the message and processes the information by using a different entity (*e.g.*, the message broker), as described in claim 1. Therefore Robichaux fails to teach or suggest all the limitations recited in claim 1.

Based on the foregoing discussion, it is submitted that claim 1 should be allowable over Robichaux. Since claims 5 and 6 closely parallel and contain substantially similar limitations as those present in claim 1, claims 5 and 6 should also be allowable over Robichaux. Further, since claims 3, 4, 7 and 9 depend from one of claims 1 and 6, claims 3, 4, 7 and 9 should also be allowable over Robichaux.

Accordingly, it is submitted that the rejection of claims 1, 3 – 7, and 9 based upon 35 U.S.C. §102(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 2 and 8

In Section 14 of the Office Action, claims 2 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Robichaux (Paul Robichaux, "Managing Microsoft Exchange Server, ISBN: 1565925459, July 1999; hereinafter referred to as "Robichaux") in view of Leeds (U.S. Publication No. 20020016824 A1; hereinafter referred to as "Leeds"). This rejection is respectfully traversed below.

Based on the foregoing discussion of claims 1 and 6 regarding Robichaux, and since claims 2 and 8 depend from one of claims 1 and 6, claims 2 and 8 should be allowable over Robichaux.

Leeds is cited for teaching processing the meta information for authentication. *March 23, 2003 Office Action, page 5*. It is further stated, "[s]ince authentication is considered as security attribute Leeds teaching reads on "security and authentication" as recited in the claim language." *Office Action, page 5*. Yet even if Leeds discloses a security and authentication feature, Leeds and Robichaux, alone or in combination, still fail to disclose all the remaining limitations of

claim 1, including transmitting messages in a distributed system by extracting meta information from a message, transmitting only the meta information of the message to a message broker, selecting a second message gateway on the basis of the meta information by the message broker, transmitting meta information including message managing information from the message broker to the first message gateway, and transmitting the message from the first message gateway to the second message gateway to transfer the message to a target client, wherein said message broker is an entity physically separated from said first and second message gateways. Therefore, claims 2 and 8 should be allowable over the cited combination of Robichaux and Leeds.

Accordingly, it is submitted that the rejection of claims 2 and 8 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§ 103 Rejection of Claims 1 – 9

In Section 16 of the Office Action, claims 1 – 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Vaudreuil (U.S. Patent No. 5,740,230; hereinafter referred to as “Vaudreuil”) in view of Farrow et al. (U.S. Patent No. 6,374,295; hereinafter referred to as “Farrow”) and Official Notice and in further in view of Robichaux.

Based on the foregoing discussion regarding claims 1, 5 and 6 regarding Robichaux, and since claims 2-4 and 7-9 depend from one of claims 1 and 6, 1-9 should be allowable over Robichaux.

By contrast, as stated in the August 2, 2004 Office Action, as referred to in the March 23, 2005 Office Action, Vaudreuil fails to teach extracting meta information from a received message and transmitting the meta information from the first message gateway to the message

broker. Further, Farrow is directed to a protocol for a centralized communication system rather than to a distributed messaging process, such as the method described in claim 1.

In addition, the Official Notice and Robichaux are not discussed with regards to the §103(a) rejection of claims 1-9 in the March 23, 2005 Office Action. Reference is only made in to the previous Office Action with regard to Vaudreuil and Farrow. *March 23, 2005 Office Action, section 17, page 5*. Therefore, the §103(a) rejection of claim 1 over the combination of Vaudreuil, Farrow, Official Notice and Robichaux is not fully supported. Nevertheless, because Vaudreuil, Farrow and Robichaux (as previously discussed) do not teach or suggest all the limitations of claim 1, Vaudreuil, Farrow, Official Notice and Robichaux, alone or in combination, do not teach or suggest all the limitations of claim 1.

Based on the foregoing discussion regarding Vaudreuil, Farrow, Official Notice and Robichaux, it is submitted that claim 1 should be allowable over the combination of Vaudreuil, Farrow, Official Notice and Robichaux. Since claims 5 and 6 closely parallel, and include substantially similar limitations as, claim 1, claims 5 and 6 should also be allowable over the combination of Vaudreuil, Farrow, Official Notice and Robichaux. Further, since claims 2-4 and 7-8 depend from claims 1 and 6, respectively, claims 2-4 and 7-8 should also be allowable over the combination of Vaudreuil, Farrow, Official Notice and Robichaux.

Accordingly, it is submitted that the Examiner's rejection of claims 1 – 9 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-9 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

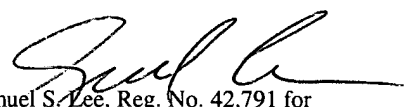
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:



Samuel S. Lee, Reg. No. 42,791 for
William S. Frommer
Reg. No. 25,506
(212) 588-0800